

EXECUTIVE SECRETARIAT

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Remarks:

3537 (10-81)

Executive Secretary
 2/2/85
 Date

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United States Department of State



February 1, 1983

Washington, D.C. 20520

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Executive Registry

83-0236/1

MEMORANDUM TO MR. WILLIAM P. CLARK
THE WHITE HOUSESUBJECT: Report to the President on Oceans Policy
and Law of the Sea

Pursuant to NSDD-58, the Senior Interagency Group for Oceans Policy and Law of the Sea has considered the establishment of an Exclusive Economic Zone (EEZ) for the United States. The SIG recommends that the President establish an EEZ by proclamation (Tab 1) and issue the supporting oceans policy statement (Tab 2). The attachments have been reviewed and approved by the SIG. They are forwarded for consideration by the President.

After the papers were approved by the SIG, the Department of State conducted a series of consultations to obtain the views of key allies, neighbors and other important nations on the proposed EEZ Proclamation and the Oceans Policy Statement. Consultations were carried out with the Federal Republic of Germany, the United Kingdom, France, the Soviet Union, Mexico, Canada, Australia, New Zealand, Italy, Belgium, the Netherlands, Iceland, Norway, Sweden, Denmark, Brazil, Colombia, Venezuela, Peru, Ecuador, Japan and the Bahamas.

The Federal Republic of Germany, the United Kingdom, France, Italy, Belgium, Norway, Mexico, Brazil, Ecuador, Japan and the Bahamas have raised no objections to the United States establishing an EEZ at this time. A number have raised questions regarding the substantive content of the EEZ Proclamation, particularly with respect to U.S. views on highly migratory species.

Australia, Canada, New Zealand, Iceland and the Netherlands have raised concerns about timing of a U.S. EEZ Proclamation. They are strong UN Law of the Sea Convention supporters and believe that our establishing an EEZ at this time could bring adverse repercussions from some signatories to the Convention. Canada and Australia, particularly, have expressed concern about the activities of the U.S. to satisfy its oceans objectives outside of the Convention. These countries have also questioned our fishery policy.

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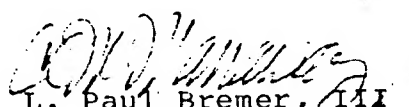
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As yet we have received no substantive reaction from the Soviet Union, Sweden, Denmark, Colombia, Venezuela or Peru.

From these consultations, we believe that reaction to the proclamation of an EEZ and Oceans Policy will be limited to statements by those hostile to our general oceans and Law of the Sea policy. Our positions on the substantive issues raised by the respondents, such as fisheries boundary delimitation and marine science, are well known. No country expects us to change these policies. Therefore, the Department of State reaffirms the SIG recommendation that the President issue the Proclamation and Oceans Policy Statement as soon as possible.

We have also conducted a series of consultations with the Congress. We have found no opposition to establishment of an EEZ, but a number of Senators, Congressmen, and staff oppose issuing the proclamation now. Some argue that the EEZ should be established by legislation, not by Presidential Proclamation. Senators Percy and Pell and fifty-seven Members of the House have written to the President urging the Administration to delay proclaiming an EEZ. Others, such as Senator Stevens and Congressman Breaux, have urged the Administration to move forward decisively. Most of those who have taken a position against the Administration establishing an EEZ now by Presidential Proclamation are opposed to the President's Law of the Sea policy. To increase support for the President proclaiming an EEZ, the interested Senate and House staff were briefed on January 14 and briefings for the Chairmen and Ranking Minority Members of the concerned Senate and House Committees will be conducted over the next week.


L. Paul Bremer, III
Executive Secretary

Attachments:

1. Interagency Report on Oceans Policy and Law of the Sea
2. EEZ Proclamation
3. Oceans Policy Statement
4. NSDD-58

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cc: OVP - Mr. Donald P. Gregg
NSC - Mr. Michael O. Wheeler
CIA -
Commerce - Mrs. Helen Robbins
Defense - COL John Stanford
Energy - Mr. William Vitale
EPA - Mr. Paul Cahill
Interior - Mr. Barry Allbright
JCS - LTC Dennis Stanley
Justice - Mr. Roger Clegg
Labor - Mr. Robert Searby
NSF - Dr. Francis Johnson
OMB - Mr. Alton Keel
Transportation - Mrs. Katherine Anderson
Treasury - Mr. David Pickford
UNA - Amb. Harvey Feldman

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